

REGULAR MEETING NORTH SMITHFIELD TOWN COUNCIL

NOVEMBER 18, 2013

KENDALL-DEAN SCHOOL AUDITORIUM

6:45 P.M.

OPEN FORUM

School Department Budget Presentation

School Committee member William Connell reminded Council members that there will be a budget presentation made on Saturday and that everyone is invited.

Mr. Connell also made a suggestion to change the Town Charter in regards to pushing the time back for presentation of the school department budget.

Narragansett Improvement

Mr. Ernest Alter of 600 Victory Highway has been approached by URI students asking his thoughts on what were the issues in regards to Narragansett Improvement. He feels there are unanswered unresolved questions and urged the Town Council to place the matter on an agenda as an inquiry into Article IV of the Charter.

REGULAR MEETING

The meeting began at 7:00 P.M. with the prayer and the pledge to the flag. Council members present were Ms. Alves, Mr. McGee, Mr. Zwolenski and Mr. Flaherty. Mr. Yazbak was able to arrive at 8:30 P.M after completing other business but the meeting had adjourned at

8:16 P.M. Also present were Town Administrator Hamilton and Town Solicitor Lombardi.

VICTUALING LICENSE - L/M TACORI INC. D/B/A TACO BELL

MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to approve a victualing license subject to receipt of the Department of Health Certificate.

YEARLY LICENSE RENEWALS

MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted 3 to 0 (Mr. McGee recused) on an aye vote to remove the licenses for TDM Enterprises d/b/a Gator's Pub.

MOTION by Ms. Alves, seconded by Mr. Zwolenski, and voted 4 to 0 on a roll call vote to approve all yearly license renewals except for TDM Enterprises d/b/a Gator's Pub.

MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted 3 to 0 (Mr. McGee recused) on a roll call vote to approve the licenses for TDM Enterprises d/b/a Gator's Pub.

HOLIDAY SALES LICENSE - SAM'S FOOD STORES

MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to approve a Holiday Sales License for Sam's Food Stores.

APPOINTMENT TO PERSONNEL BOARD

There was no appointment.

APPOINTMENT TO SEWER COMMISSION

MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to appoint Attorney William Devereaux. He will be completing a five-year term that expires on December 1, 2016.

RELAY FOR SPORTS

A couple of meetings ago some issues had been raised concerning the noise created by this event. Mr. Bill Nangle of the North Smithfield Athletic Association had conversations with a couple of the neighbors who explained their problems with the event, mainly the noise. Mr. Nangle has some ideas as to what can be done and he may come forward with a couple of different events.

TOWN COUNCIL TWO-YEAR WORKPLAN

Mr. Flaherty asked if Ms. Hamilton could make this available on the town's website.

DONATION FOR UNITY BALL

Ms. Alyssa Deslauriers, a senior at North Smithfield High School, is planning the 2014 Unity Ball as her senior project. The ball is a

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free dance that is run for special needs high school students from all over Rhode Island who participate in Unified Sports. Over 400 students are expected to attend. In a letter to the Council, Ms. Deslauriers asked if the members would consider making a donation.

MOTION by Ms. Alves, seconded by Mr. Zwolenski, and voted 4 to 0 on a roll call vote to award \$250.00 for the Unity Ball with the funding to come from the donations line item.

This amount will pay for eight student tickets and dinner.

MASTER PRICE AGREEMENT FOR PURCHASE OF ROAD SALT

MOTION by Mr. Zwolenski, seconded by Mr. McGee and Ms. Alves, and voted 4 to 0 on a roll call vote to approve the purchase of road salt using the state Master Price Agreement at a cost of \$56.12 per ton.

REPAIR WORK ON WASTE OIL HEATING SYSTEM

Public Works Director Raymond Pendergast explained the waste oil heating system at the highway barn, which has been there since the 1990s, has broken down after numerous repairs.

MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to amend the wording from “repair work” to “replacement” of the waste oil heating system.

MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to approve the purchase of a waste oil heating system for the town highway barn from SQ Company at a cost of \$9,545.00 which will be charged to Contingency Infrastructure.

WIRELESS FACILITY ON COMSTOCK ROAD WATER TOWER

At the request of Ms. Hamilton, MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to continue this to December 2, 2013.

CONSENT AGENDA

Mr. Zwolenski requested that the minutes of October 21, 2013 be removed from the consent agenda.

MOTION by Ms. Alves, seconded by Mr. McGee and Mr. Zwolenski, and voted 4 to 0 on an aye vote to accept the following: 1.) Council minutes of October 16 and November 4, 2013; 2.) Payment of bills: General Fund - \$398,919.56; Sewer - \$228,082.43; Water - \$6,664.84; School Department - \$1,498,072.00; and Fire Department - \$195,147.00 for a total of \$2,326,885.83; 3.) Personnel Board minutes of August 13, 2013; 4.) Animal Control Monthly Report for October 2013; 5.) NSF&RS Inc. Monthly Incident Report for October 2013; 6.) NS Police Department Monthly Activity Report for October 2013; and 7.) NS Municipal Court Monthly Activity Report for October 2013.

Minutes of October 21, 2013

Regarding minutes concerning the Silver Pines Sewer Concerns, Mr. Zwolenski believed he said, “All private developments should be built to town standards.”

MOTION by Ms. Alves, seconded by Mr. McGee, and voted 4 to 0 on a roll call vote to accept the minutes of October 21, 2013 as amended.

EXECUTIVE SESSION

MOTION by Ms. Alves, seconded by Mr. McGee, and voted 4 to 0 on a roll call vote to enter into executive session at 7:35 P.M. pursuant to RIGL 42-46-5(A)(2) Sessions pertaining to collective bargaining or litigation or work sessions pertaining to collective bargaining or litigation to discuss Paiva vs Town of North Smithfield.

MOTION by Mr. Zwolenski, seconded by Mr. McGee, and voted 4 to 0 on a roll call vote to come out of executive session at 7:46 P.M. and to seal the minutes. No motions were made and no votes were taken.

CHARTER REVIEW

Mr. Flaherty provided a proposed timeline for the charter review process and asked if Council members could come to the December 2nd meeting with preferred topics.

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IN-SERVICE TRAINING FOR CAPITAL BUDGETS

Mr. Flaherty noted the current process for capital requests go

through the Planning Board and he was looking for any Council input.

Town Planner Robert Ericson suggested having more people on the Budget Committee so that sub-committees can be formed. He added it is not a state law that capital requests go through Planning Boards but rather it is in the town's Charter.

Mr. Flaherty asked if anyone would have an objection to delegating the capital planning function to either a combination of Planning Board and Budget Committee or to just the Budget Committee.

ZONING ORDINANCE AMENDMENT RE: SITE PLAN REVIEW

Mr. Ericson has made the recommended changes discussed at prior meetings. There were no further recommendations from either Council members or residents.

MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted 4 to 0 on an aye vote to close the public hearing.

MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted 3 to 1 (Mr. McGee voted no) on an aye vote to accept the amendments made in the most recent document dated November 18, 2013.

MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted 3 to 1 (Mr. McGee voted no) on a roll call vote to enact the entire document as amended.

**MOTION by Ms. Alves, seconded by Mr. Zwolenski, and voted 4 to 0
on an aye vote to adjourn at 8:16 P.M.**

Respectfully submitted,

Debra A. Todd, Town Clerk